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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

8 UNITED STATES OF AMERICA, et al.,

9 Plaintiffs,

10 v.

11 STATE OF WASHINGTON, et al.,

12 Defendants.

CASE NO. C70-9213 RSM

Subproceeding No. 89-SP-312 (Shellfish)

MINUTE ORDER

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14 The following MINUTE ORDER is made by direction of the Court, the Honorable
15 Ricardo S. Martinez, Chief United States District Judge:

16 On February 19, 2020, the Port Gamble S’Klallam Tribe and Jamestown S’Klallam Tribe
17 (collectively “S’Klallam”) filed (1) a Motion to Alter or Amend Judgement or For a New Trial
18 (Dkt. #124);¹ (2) a Petition for Review – Appeal from Magistrate Order to District Court and
19 Motion for Overlength Petition (Dkt. #125);² and (3) a Motion to File Overlength Motion (Dkt.
20 #126).³ S’Klallam filed its motion to amend judgment concurrently with its petition for review
21 due to a provision of the Stipulation and Order Amending Shellfish Implementation Plan
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23 ¹ Dkt. #22,156 in Case No. C70-9213RSM.

24 ² Dkt. #22,157 in Case No. C70-9213RSM.

³ Dkt. #22,158 in Case No. C70-9213RSM.

1 (“SIP”).⁴ Dkt. #125 at 2 n.2. That provision requires that any petitions for district court review
2 of a magistrates written decision resolving a dispute be filed within twenty days of the filing of
3 the original decision. SIP ¶ 9.1.4. S’Klallam requested that “this Petition be stayed until the
4 Magistrate Judge has reviewed and ruled on” the motion to amend. Dkt. #125 at 2 n.2.

5 To provide procedural clarity, the Court sets the following procedures.

- 6 1. Parties need not brief or prepare responses to S’Klallam’s Petition for Review – Appeal
7 from Magistrate Order to District Court and Motion for Overlength Petition (Dkt. #125).
8 That Petition is STAYED.
- 9 2. The Motion to Alter or Amend Judgment or For a New Trial (Dkt. #124) and the Motion
10 to File Overlength Motion (Dkt. #126) remain pending. The parties should respond in
11 accordance with the applicable rules and Judge Christel will address the motions in due
12 course.
- 13 3. Within twenty (20) days of an order resolving the Motion to Alter or Amend Judgment
14 or For a New Trial (Dkt. #124), S’Klallam may (1) file an amended petition and note it
15 for the Court’s consideration in due course; (2) renote the existing petition (Dkt. #125);
16 or (3) file notice that it does not plan to proceed with a petition. Thereafter, the parties
17 shall respond as appropriate under the applicable rules.
- 18 4. All other parties shall otherwise proceed as appropriate under the applicable rules.

19 DATED this 24 day of February, 2020.

20 WILLIAM McCOOL, Clerk

21 By: /s/ Tomas Hernandez
22 Deputy Clerk

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⁴ Dkt. #14,331 in Case No. C89-sp-03RSM; Dkt. #17,340 in Case No. C70-9213RSM.